

# Senator's Account of Spying On Israel Sets Off an Inquiry

**T By MARTIN TOLCHIN**

Special to The New York Times

WASHINGTON, March 27 — The Senate ethics committee has begun a preliminary investigation into the propriety of Senator Dave Durenberger's assertion that American intelligence agents used an Israeli military officer as a spy in the early 1980's, according to Senators and Congressional aides.

The Minnesota Republican, who is the former chairman of the Senate Select Committee on Intelligence, made the statement last week to two Jewish groups in what he described as an effort to add perspective to the case of Jonathan Jay Pollard, an American intelligence official recently sentenced to life in prison for spying for Israel.

The sources said that Mr. Durenberger's statement prompted several complaints from fellow senators and

said. If the committee should decide to censure Mr. Durenberger, it would appear to be vouching for the authenticity of the information. The committee itself would therefore be guilty of disclosing classified information.

On the other hand, if Mr. Durenberger, in fact, disclosed classified information and the committee did nothing, it would run the risk of being considered irresponsible.

Mr. Durenberger could not be reached for comment.

The Senator's comments were made at two meetings in Palm Beach, Fla., on March 15. They occurred at two events in Florida held by The American Israel Public Affairs Committee, a lobbying group, the first of which was attended by about 150 people at the home of Irwin Levy. A later event involved about 50 people in South Palm Beach.

## Casey 'Changed the Rules'

The Senator told both meetings that William J. Casey, then Director of Central Intelligence, "changed the rules" by authorizing a spy operation against Israel after its 1982 invasion of Lebanon. According to three witnesses, Mr. Durenberger said the Central Intelligence Agency had recruited a spy in the Israeli military who passed on sensitive information about the Israeli invasion.

According to one person who attended and took notes, Mr. Durenberger said: "We changed the rules in the early 1980's. We recruited an Israeli to spy on Israel, and he got caught."

"What I'm really saying to you is that this is not a one-way street," Mr. Durenberger was quoted by this person as saying. "I can't justify Pollard, but I can understand it."

## Relaying 'Public Speculation'

Mr. Durenberger later issued a statement that did not deny the statements, but said that the Senator's intention had been only to relay "public speculation that the United States may have had intelligence sources within the Israeli Government." The statement added that the Senator was not trying to justify the recruitment of Mr. Pollard in 1984 to provide American secrets to the Israelis. At the time, Mr.

Pollard was an intelligence analyst for the United States Navy,

Mr. Durenberger, a member of the Senate intelligence committee for eight years, was its chairman from 1985 to 1986. When the Democrats regained control of the Senate, he left the committee.

Administration officials have previously acknowledged that the United States tries to gather intelligence about Israel. But they said the methods used were technical, involving surveillance satellites or intercepted communications. The recruitment of a spy in the Israeli Government would be a significant additional step.

The espionage case against Mr. Pollard has been a major source of tension in Israeli-American relations.

**Any censure  
move would  
seem to confirm  
the allegations.**

Reagan Administration officials, concerning whether it constituted an unauthorized disclosure of classified information. The complaints were directed to both the Senate leadership and the intelligence and ethics committees.

Pursuant to those complaints, the ethics committee began an investigation to determine whether the information was accurate and classified, and what were the circumstances surrounding Mr. Durenberger's statements.

## Procedure for Inquiries

Senate Resolution 400 provides that it is the duty of the ethics committee "to investigate unauthorized disclosures of classified information by a member, officer or employee of the Senate, and to report to the Senate concerning any allegations which it finds to be substantiated."

The Select Committee on Ethics faces a dilemma, however, one official